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4 UNITED STATES DISTRICT COURT  
5 WESTERN DISTRICT OF WASHINGTON  
6 AT SEATTLE

7 SEATTLE TIMES COMPANY,

8 Plaintiff,

9 v.

10 LEATHERCARE, INC.; STEVEN RITT;  
11 and the marital community composed of  
12 STEVEN RITT and LAURIE ROSEN-  
13 RITT,

14 Defendants/Third-Party  
15 Plaintiffs,

16 v.

17 TOUCHSTONE SLU LLC; and  
18 TB TS/RELP LLC,

19 Third-Party Defendants.

C15-1901 TSZ

MINUTE ORDER

20 The following Minute Order is made by direction of the Court, the Honorable  
21 Thomas S. Zilly, United States District Judge:

22 (1) By Minute Order entered October 16, 2018, docket no. 288, the Court  
23 indicated that the request for costs included in the motion for attorney's fees filed by  
Touchstone SLU LLC and TB TS/RELP LLC ("Touchstone"), docket no. 281, was  
untimely. The Court did NOT grant Touchstone an extension of time to tax costs, but  
rather treated Touchstone's motion, docket no. 281, as asking for additional time to tax  
costs in the manner set forth in Local Civil Rule 54(d). Touchstone has since filed a bill  
of costs, docket no. 307, which was incorrectly noted for the first Friday after filing, and  
renoted by the Clerk to November 30, 2018. See Local Civil Rule 54(d)(1) (referencing  
Local Civil Rule 7(d)(3)). Meanwhile, LeatherCare, Inc. filed a response to the bill of

1 costs, indicating its mistaken belief that Touchstone had been granted an extension of  
2 time to tax costs, but had failed to do so within 21 days of the date the extension had been  
3 granted. See Resp. at 2 (docket no. 308). Shortly thereafter, Touchstone filed a notice of  
4 appeal from the Minute Order entered October 16, 2018. See Notice (docket no. 309).  
5 In light of Touchstone's appeal and the procedural posture of this matter, the Court  
6 ORDERS as follows:

7 (a) Touchstone's request for an extension of time to tax costs is  
8 STAYED pending a decision of the United States Court of Appeals for the Ninth  
9 Circuit in Case No. 18-35966, regarding Touchstone's appeal from the Minute  
10 Order entered October 16, 2018, docket no. 288; and

11 (b) Touchstone's bill of costs, docket no. 307, is STRICKEN without  
12 prejudice to refiling, if appropriate, after the stay imposed in Paragraph 1(a) is  
13 lifted.

14 (2) The Clerk is directed to send a copy of this Minute Order to all counsel of  
15 record and to the United States Court of Appeals for the Ninth Circuit.

16 Dated this 16th day of November, 2018.

17 William M. McCool  
18 Clerk

19 s/Karen Dews  
20 Deputy Clerk